

REMARKS

In response to the above Office Action, claim 1 has been amended to more specifically define applicants' invention and distinguish it from the cited prior art.

Claim 1 now recites that the upper frame of the food dough extending apparatus has "a box-shaped cover therefor that has an opening in a bottom thereof" and that the "cluster of the plurality of extending rollers" is "mounted on the upper frame" and is "located within the box-shaped cover of the upper frame." Further, that the means for moving the upper frame in an up and down direction and toward and away from the lower frame moves the box-shaped cover thereof with the cluster of rollers located therein.

Support for the amendments to claim 1 can be found on page 5, lines 13-14 and in FIGS. 1 and 3. As can be seen from this description in combination with the drawings, "upper frame 5" is a box-shaped cover having an open bottom that covers the cluster of extending rollers while permitting them to cooperate with the food-conveying member to extend food dough. As discussed in previous replies and as clearly set forth in the specification and in FIG. 3, the purpose of the claimed means for moving the upper frame and the box-shaped cover therefor with the cluster of rollers located therein toward and away from the food-conveying member of the lower-frame is to permit ready access to the interior space for cleaning both the rollers and the member. This would not be possible with the box-shaped cover in the way as shown in FIG. 1.

In the Office Action, the Examiner continued to reject claim 1 under 35 U.S.C. §102(b) for being anticipated by Hayashi '375, and claims 2-4, 8, and 9 under 35 U.S.C. §103(a) for being obvious over Hayashi '375 further in view of Hayashi '017 and Morikawa '218.

As pointed out by the Examiner, Hayashi '375 may disclose means (49) for moving the frame (39) on which is mounted a cluster of extending rollers (33) in an up and down direction and toward and away from the lower food extending member (9,19), but the upper frame does not have "a box-shaped cover therefor that has an opening in a bottom thereof" and in which the cluster of rollers is located. On the contrary, as is clearly seen in FIG. 2 of Hayashi '375, the cluster of rollers is not located in a "box-shaped cover" but lies exposed above the lower food conveying member.

Accordingly, since a prior art reference must disclose each and every element of a claim before it can be considered to anticipate a claim and Hayashi '375 does not disclose anything similar to the claimed "box-shaped cover," it is submitted that amended claim 1 cannot be considered to be anticipated by Hayashi '375. Its withdrawal as a ground of rejection of claim 1 under §102 is therefore requested.

Regarding claims 2-4, 8, and 9, the subject matter of these claims may, per se, be considered obvious over the cited references, but since all of the claims depend directly or indirectly from claim 1, it is submitted they are patentable for the same reasons claim 1 is patentable over Hayashi '375.

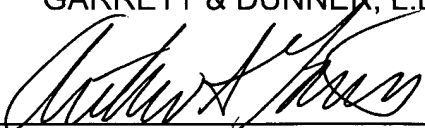
It is believed claims 1-4, 8, and 9 are now allowable.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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